

AGENDA HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, AUGUST 28, 2007

**HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET
HUNTINGTON BEACH, CALIFORNIA 92648**



CHAIR JOHN SCANDURA

**VICE-CHAIR TOM LIVENGOOD
COMMISSIONER BLAIR FARLEY
COMMISSIONER FRED SPEAKER**

**COMMISSIONER JOE SHAW
COMMISSIONER DEVIN DWYER
COMMISSIONER ELIZABETH SHIER-BURNETT**

**DIRECTOR OF PLANNING, SCOTT HESS, AICP
LEGAL COUNSEL, LEONIE MULVIHILL
PRINCIPAL PLANNER, HERB FAULAND**

THE 7:00 PM PORTION OF THE MEETING IS TELEVISED LIVE ON CABLE TV CHANNEL 3. VIDEO TAPES OF MEETINGS ARE AVAILABLE FOR PUBLIC CHECKOUT AT THE CENTRAL LIBRARY. COPIES OF STAFF REPORTS AND/OR WRITTEN MATERIALS ON EACH AGENDA ITEM ARE ON FILE IN THE PLANNING DEPARTMENT, THE CENTRAL LIBRARY AND ON THE CITY'S WEBSITE (WWW.SURFCITY-HB.ORG) FOR PUBLIC INSPECTION. ANY PERSON HAVING QUESTIONS ON ANY AGENDA ITEM MAY CALL THE PLANNING DEPARTMENT TO MAKE AN INQUIRY CONCERNING THE NATURE OF THE AGENDA ITEM AT (714) 536-5271.

Planning Commission Agenda Information Sheet

The following is a brief explanation of the Planning Commission Agenda Structure:

AGENDA APPROVAL The Planning Commission will announce if any closed public hearing items will be re-opened and may wish to change the order of the items on the agenda.

ORAL COMMUNICATION (FILL OUT REQUEST TO SPEAK FORM) Anyone wishing to address the Planning Commission, only on items not on tonight's agenda, must fill out and mark the appropriate box and submit a form to speak prior to Oral Communication. Please be advised that testimony provided on Public Hearing items during Oral Communications are not part of the permanent entitlement record. The speaking forms are available at the lower entrance to the Council Chambers. Give the form to the Secretary. Staff will call all speakers by name. There is a four-minute time limit per speaker. Time may not be donated to another. All proceedings are recorded. No action can be taken by the Planning Commission on these communications on this date, unless agendized.

PUBLIC HEARING ITEMS (FILL OUT REQUEST TO SPEAK FORM) Public hearings allow citizens the opportunity to speak in favor or against specific items. More detailed information on public hearings may be found on the page attached to the back of this agenda. Complete the form by marking the appropriate box and indicating the hearing item you wish to provide testimony on. Please note if the public hearing items have been closed or are still open for testimony. The agenda and staff report will indicate if the public hearing is open or closed. The Planning Commission at their discretion may re-open a closed public hearing and the Commission will make the announcement during Agenda Approval. The speaking forms are available at the lower entrance to the Council Chambers. Give the form to the Secretary. Staff will call all speakers by name. There is a four-minute time limit per speaker. Individuals may choose to donate their 4 minutes of time to another speaker, and the maximum time donation limit is 8 minutes (2 individuals), for a total of 12 minutes per speaker. Individuals who donate time must be present when the item is being discussed. All proceedings are recorded. If you have documents to distribute, there should be enough copies for all Planning Commissioners, staff, and the public. The documents become part of the public record and will not be returned.

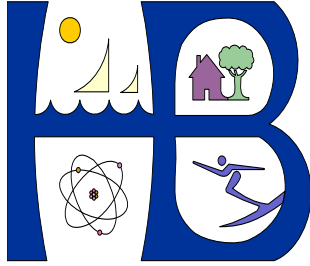
CONSENT CALENDAR Consent Calendar items are considered routine items that normally do not require separate consideration. The Planning Commission may make one motion for approval of all items listed under the CONSENT CALENDAR.

NON-PUBLIC HEARING ITEMS These items are considered by the Planning Commission separately and require separate motions. These transactions are considered administrative and public testimony is not heard.

PLANNING COMMISSION ITEMS / INQUIRIES Items of business or concern are presented by Planning Commissioners and discussed with staff. Informational updates and reports are made by Commissioners who serve as liaisons to various committees.

PLANNING ITEMS Updates and reports from the Planning Director for the information of the Planning Commission and the public.

Adjournment



AGENDA

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, AUGUST 28, 2007
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

CALL PLANNING COMMISSION MEETING TO ORDER

ROLL CALL: *Shier-Burnett, Speaker, Livengood, Scandura, Shaw, Dwyer, Farley*

AGENDA APPROVAL

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. **NEGATIVE DECLARATION NO. 06-002/ANNEXATION NO. 06-001/ZONING TEXT AMENDMENT NO. 06-001/ZONING MAP AMENDMENT NO. 06-001 (BRIGHTWATER SPECIFIC PLAN) – Sandra Campbell**

A-2. **ZONING TEXT AMENDMENT NO. 07-003 (MEDICAL MARIJUANA DISPENSARIES - INFORMATION AND STATUS UPDATE) – Ricky Ramos**

B. STUDY SESSION ITEMS - NONE

C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS) – Herb Fauland

D. PLANNING COMMISSION COMMITTEE REPORTS

E. PUBLIC COMMENTS – Regarding Project Review and Study Session portions of Meeting

Anyone wishing to speak on Project Review or Study Session items during PUBLIC COMMENTS may do so by filling out a Request To Speak form and giving it to the Secretary. (4 MINUTES PER PERSON, NO DONATING OF TIME TO OTHERS)

F. PLANNING COMMISSION COMMENTS

6:30 P.M. – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL: *Shier-Burnett, Speaker, Livengood, Scandura, Shaw, Dwyer, Farley*

AGENDA APPROVAL

A. ORAL COMMUNICATIONS

Anyone wishing to speak during ORAL COMMUNICATIONS must fill out and submit a form to speak. The Planning Commission can take no action on this date, unless the item is agendaized. Any one wishing to speak on items not on tonight's agenda, a closed public hearing item, or on non-public hearing items may do so during ORAL COMMUNICATIONS. Please note comments on closed public hearing items will not be part of the permanent entitlement record. Speakers on items scheduled for PUBLIC HEARING will be invited to speak during the public hearing. (4 MINUTES PER PERSON, NO DONATING OF TIME TO OTHERS)

B. PUBLIC HEARING ITEMS:

Anyone wishing to speak during an open PUBLIC HEARING must fill out and submit a form to speak. The public may address the Planning Commission only during the open PUBLIC HEARING items or during ORAL COMMUNICATIONS. Please review the agenda to determine whether the PUBLIC HEARING item is open or closed. If the PUBLIC HEARING on an item is closed, you will not be permitted to speak during that portion of the agenda and may wish to address your concerns during the ORAL COMMUNICATIONS portion of the agenda. Speakers on items scheduled for PUBLIC HEARING will be invited to speak during the public hearing. (4 MINUTES PER PERSON, WITH A MAXIMUM TIME DONATION OF 8 MINUTES, FOR A TOTAL OF 12 MINUTES PER SPEAKER)

PROCEDURE: Commission Disclosure Statement(s), Staff Report Presentation, Commission Questions, Public Hearing, Discussion/Action.

- B-1. MITIGATED NEGATIVE DECLARATION NO. 06-008/CONDITIONAL USE PERMIT NO. 06-035/VARIANCE NO. 07-001 (FIRST CHRISTIAN CHURCH REMODEL/EXPANSION)** **Applicant:** Art Cueto. **Request:** . **MND:** To analyze the potential environmental impacts associated with implementation of the proposed project. **CUP:** To permit the expansion and remodel of an existing church complex, including construction of a three-level parking structure; **VAR:** To permit joint use parking (298 spaces) located at a distance in excess of 250 feet from the project site (at Huntington Beach High School) during the construction phase **Location:** 1207 Main Street, 92648 (southeast corner of Adams Avenue and 17th Street). **Project Planner:** Ron Santos

STAFF RECCOMENDATION: Motion to:

- A. "Approve Mitigated Negative Declaration No. 06-008 with findings and suggested mitigation measures (Attachment No. 1);"
- B. "Approve Conditional Use Permit No. 06-035/ Variance No. 07-001 with findings and suggested conditions of approval (Attachment No. 1)."

C. CONSENT CALENDAR

C-1. PLANNING COMMISSION MINUTES DATED JULY 24, 2007

D. NON-PUBLIC HEARING ITEMS - NONE

E. PLANNING ITEMS

- E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING**
- E-2. CITY COUNCIL ITEMS FOR NEXT MEETING**
- E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING**

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS - NONE

F-2. PLANNING COMMISSION COMMENTS

**Commissioner Shier-Burnett -
Commissioner Speaker -
Vice Chairperson Livengood –
Chairperson Scandura -
Commissioner Shaw -
Commissioner Dwyer -
Commissioner Farley -**

ADJOURNMENT: Adjourn to the next regularly scheduled meeting of September 11, 2007.

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Planning Commission is final unless an appeal is filed to the City Clerk by you or by an interested party. Said appeal must be in writing and must set forth in detail the action and grounds by which the applicant or interested party deems himself aggrieved. Said appeal must be accompanied by a filing fee of One Thousand Five Hundred Forty-One Dollars (\$1,541.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property or Two Thousand Three Hundred Seventy-Nine Dollars (\$2,379.00) if the appeal is filed by any other party. The appeal shall be submitted to the City Clerk within ten (10) calendar days of the date of the Planning Commission's action.

Copies of staff reports and/or written materials on each agenda item are on file in the Planning Department, for inspection by the public. A copy of the agenda packet is also available at the Central Library (7111 Talbert Avenue).

DVD'S OF MEETINGS ARE AVAILABLE FOR PUBLIC CHECK OUT AT THE CENTRAL LIBRARY, AND FOR DUPLICATION SERVICES IN THE CITY CLERK'S OFFICE.

HUNTINGTON BEACH PLANNING COMMISSION

Public Hearing Procedures

This statement has been prepared to provide a better understanding of the procedures for public hearings before the Planning Commission.

Regular meetings of the Planning Commission are held on the second and fourth Tuesdays of each month beginning at 5:15 p.m. in Room B-8 for a study session and then at 7:00 PM in the Council Chambers. Adjourned meetings, special meetings, and Study Sessions may be scheduled at other times.

Planning Commission proceedings are governed by the Planning Commission By-Laws, Robert's Rules of Order and the Brown Act. The following is the typical sequence of events on public hearing items:

- A. The Chairperson shall announce the item and if the public hearing is open or closed.
- B. The Planning Commission shall disclose any discussions, conversations, etc., with applicants, applicant's representatives or property owners.
- C. The staff report is presented.
- D. Questions by the Planning Commission concerning the staff report may be answered at this time.
- E. The public hearing is opened by the Chairperson.
- F. The applicant or appellant is given an opportunity to address the Commission. Time is not limited but left to the Chairperson's discretion.
- G. Public Comments: Staff will call all speakers by name. Please proceed to the podium. Individuals favoring and opposing the proposal are given an opportunity to address the Commission (up to four (4) minutes), or may choose to donate their time to another speaker if the "Request to Speak" form is filled out and given to the Secretary. A speaker who addresses the Commission on behalf of individuals who donate time are allowed a maximum of 12 minutes. Individuals who donate time must be present when the item is being discussed. Please state your name before addressing the Commission.
- H. The Commission may ask questions of speakers addressing the Commission.
- I. The public hearing is closed.
- J. The Commission will deliberate the matter at this time.
- K. The Commission then acts on the matter by continuing, approving, conditionally approving, or denying the petition.

The Planning Commission receives a staff report packet on the Tuesday preceding the meeting, allowing time to review each case and make further investigations in the field prior to the scheduled meeting.

Staff reports are available in the Planning Department, the Central Library and on the City's website (www.surfcity-hb.org) anytime on Wednesday preceding the Tuesday Planning Commission meeting.



City of Huntington Beach Planning Department **STUDY SESSION REPORT**

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning
BY: Sandra Campbell, Contract Senior Planner *SC BY JK*
DATE: August 28, 2007

SUBJECT: ANNEXATION NO. 06-001/ZONING TEXT AMENDMENT NO. 06-001/ZONING MAP AMENDMENT NO. 06-001/NEGATIVE DECLARATION NO. 06-002
(Brightwater Specific Plan)

LOCATION: Northeast corner of Bolsa Chica Mesa and generally bounded by Los Patos Avenue to the north, Warner Avenue to the northwest and the terminus of Bolsa Chica Street to the east

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

Annexation No. 06-001 is a request to annex the approximately 105.3 acre Brightwater Development Project (BDP) into the City of Huntington Beach. The BDP is currently located within the jurisdiction of the County of Orange and is proposed to be annexed in phases as homes are constructed and consistent with a Pre-Annexation Agreement between the City and the applicant, Hearthside Homes, Inc.

Zoning Text Amendment No. 06-001 is a request to create the Brightwater Specific Plan (Specific Plan 15) that will provide development standards for the 105.6 acre Specific Plan area. At build-out, the Brightwater Specific Plan will result in a total of 355 homes (349 already approved by Orange County and the California Coastal Commission and six that would be subject to future approval by the City of Huntington Beach). The Specific Plan area also includes a 37.1 acre habitat restoration and public trail area that will be maintained by the Brightwater Maintenance Corporation.

Zoning Map Amendment No. 06-001 is a request to amend the City of Huntington Beach Zoning Map to: 1) prezone with the Brightwater Specific Plan, a 105.235 acre portion of the BDP site presently located within an unincorporated portion of Orange County; 2) prezone a 0.065 acre portion of the unincorporated area with Residential Low Density (RL) zoning for inclusion in the Sandover project; and 3) rezone 0.365 acres of the subject property currently located within the City of Huntington Beach from RL to Brightwater Specific Plan. (See Attachment No. 2)

Negative Declaration No. 06-002 analyzes the potential environmental impacts associated with implementation of the proposed project.

The proposed project encompasses approximately 105.9 acres (the project site) located at the northeast corner of the Bolsa Chica Mesa. The project site includes 105.3 acres of land located within unincorporated Orange County and approximately 0.6 acres located within the City of Huntington Beach. Currently, an approximately 105.3 acre portion of the site is being developed with 349 single-family

homes and a 37.1 acre habitat preservation and public trail area. The development, referred to as the Brightwater Development Project, received entitlements from Orange County and the California Coastal Commission (CCC), which included the Brightwater Amended Master Site Plan/Area Plan approved on October 5, 2005 and Coastal Development Permit (CDP) No. 5-05-020 issued on December 15, 2005. Subsequent Environmental Impact Report No. 551 was prepared by Orange County to analyze the environmental impacts from the BDP and construction of nine homes within an undeveloped portion of the adjacent Sandover project. (The Orange County Board of Supervisors certified Subsequent EIR No. 551 on July 22, 2002.)

The remaining 0.6 acres of the project site are located within an undeveloped area located within the City, currently zoned RL, between the BDP and the existing Sandover project area and, as such, were not included under the Orange County and CCC approvals. (For location of this area, refer to Figure A within the Draft Negative Declaration.) Approximately 0.365 acres is proposed to be rezoned and incorporated into the Brightwater Specific Plan area, whereas the remaining 0.230 acres will remain RL zone. This remaining area combined with the 0.065 acres that will be pre-zoned RL will allow for an additional unit to be constructed in the Sandover Project area, subject to required entitlements. (See attachment No. 2)

The portion of the site located within Orange County is proposed to be pre-zoned in accordance with Local Agency Formation Commission (LAFCO) procedures that require zoning to be established on the site before an annexation application is acted on by LAFCO. The majority of the project site, approximately 105.3 acres, is proposed to be pre-zoned with the Brightwater Specific Plan. The Brightwater Specific Plan was created to reflect the BDP as approved by Orange County and the California Coastal Commission with the exception of six additional home sites. Two of the six additional home sites are currently designated as nonresidential lots within the BDP. The other four home sites currently cross the City/County boundary and cannot be developed until after annexation takes place. The six additional homes were not included under the original 349 homes approved by Orange County and the California Coastal Commission, but were included under the analysis contained in Subsequent EIR No. 551. Construction of the six additional homes would require a separate coastal development permit from the City. After annexation, the Brightwater Specific Plan will control the future design of the six additional homes as well as residential additions, remodels, replacements due to fire or other events for the existing homes.

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

History of Entitlements:

- County of Orange approved the Bolsa Chica Planned Community Program on February 3, 1998 establishing the zoning for the site.
- Subsequent Environmental Impact Report (EIR) No. 551 was certified by Orange County on July 22, 2002 as consistent with the Special Conditions imposed by the California Coastal Commission on CDP No. 5-05-020.
- California Coastal Commission approved CDP No. 5-05-020 on April 14, 2005 and issued the permit on December 15, 2005. CDP No. 5-05-020 was approved for Vesting Tentative Tract Map (VTTM) No. 15460 for the subdivision and development of the 105.3 acre BDP area located within the Coastal Zone into 349 single-family residential lots on 67.9 acres and 37.1 acres of habitat restoration and public trail area.

- County of Orange approved the Brightwater Master Site/Area Plan and Project Site Plans on October 5, 2005 reflecting the Coastal Commission changes requested under CDP No. 5-05-020.
- The County of Orange approved an Addendum to Subsequent EIR No. 551 on October 5, 2005 to cover the amended site plans that reflected the conditions of approval imposed by the California Coastal Commission under CDP No. 5-05-020
- County of Orange approved Revised Tentative Tract Map No. 15460 on October 18, 2005, also reflecting the revisions requested by the Coastal Commission under CDP No. 5-05-020. The second revision to VTTM No. 15460 was approved by the County on June 14, 2006 and the third revision was approved on June 12, 2007.
- Out-of-Area Service Agreement (OASA) approved by LAFCO for the provision of water and sewer services by the City of Huntington Beach to the BDP before annexation.

Zoning and General Plan land use designations for site and surrounding area:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	Proposed RL-7-sp (Residential Low Density with a Specific Plan Overlay), RM-15-sp (Residential Medium Density with a Specific Plan Overlay), OS-C-sp (Open Space Conservation with a Specific Plan Overlay)	Proposed Specific Plan No. 15 (Brightwater Specific Plan), and RL (Residential Low Density)	In process of being developed with 349 single-family homes and 37.1 acres of habitat restoration and public trail area
North of subject property (Across Los Patos)	RL-7 (Residential Low Density)	RL (Residential Low Density)	Single-family residential
East of subject property	RL-7, Unincorporated Orange County	RL, Unincorporated Orange County	Single-family residential, Vacant land
Southeast of subject property	Unincorporated Orange County	Unincorporated Orange County	East Garden Grove-Wintersburg Flood Control Channel
South and west of subject property	Unincorporated Orange County	Unincorporated Orange County	118 acre Lower Bench of the Mesa owned by the State of California

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION

Not applicable

MANDATORY PROCESSING DATE

Legislative Action – Not applicable

The tentative public hearing date for the Planning Commission is September 11, 2007 with the City Council public hearing tentatively scheduled for October 15, 2007.

CEQA ANALYSIS/REVIEW

Draft Negative Declaration (ND) No. 06-002 was prepared to analyze the potential environmental impacts from the proposed project. The ND has been made available for public review for 30 days beginning on August 7, 2007 and ending on September 6, 2007. ND No. 06-002 concludes that no significant impacts are anticipated as a result of the proposed project. The Brightwater Specific Plan was created to reflect the project as approved by Orange County and the California Coastal Commission and is within the parameters of residential development and habitat restoration and public trail area analyzed in Subsequent EIR No. 551. Therefore, the proposed project will not result in additional density or intensity of land use that was not previously considered and analyzed. As such, the ND found that the proposed project involving the requests for annexation, Zoning Text Amendment and Zoning Map Amendment will not result in any significant adverse environmental effect.

As of August 21, 2007 the City has not received any comment letters concerning Draft Negative Declaration No. 06-002. If comments are received, a response to comments letter will be prepared by staff and will be included with the public hearing staff report.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

The Departments of Fire, Community Services and Public Works reviewed and commented on the preparation of the Draft Specific Plan. Additionally, the City has been working with LAFCO regarding annexation procedures.

PUBLIC MEETINGS, COMMENTS AND CONCERNS

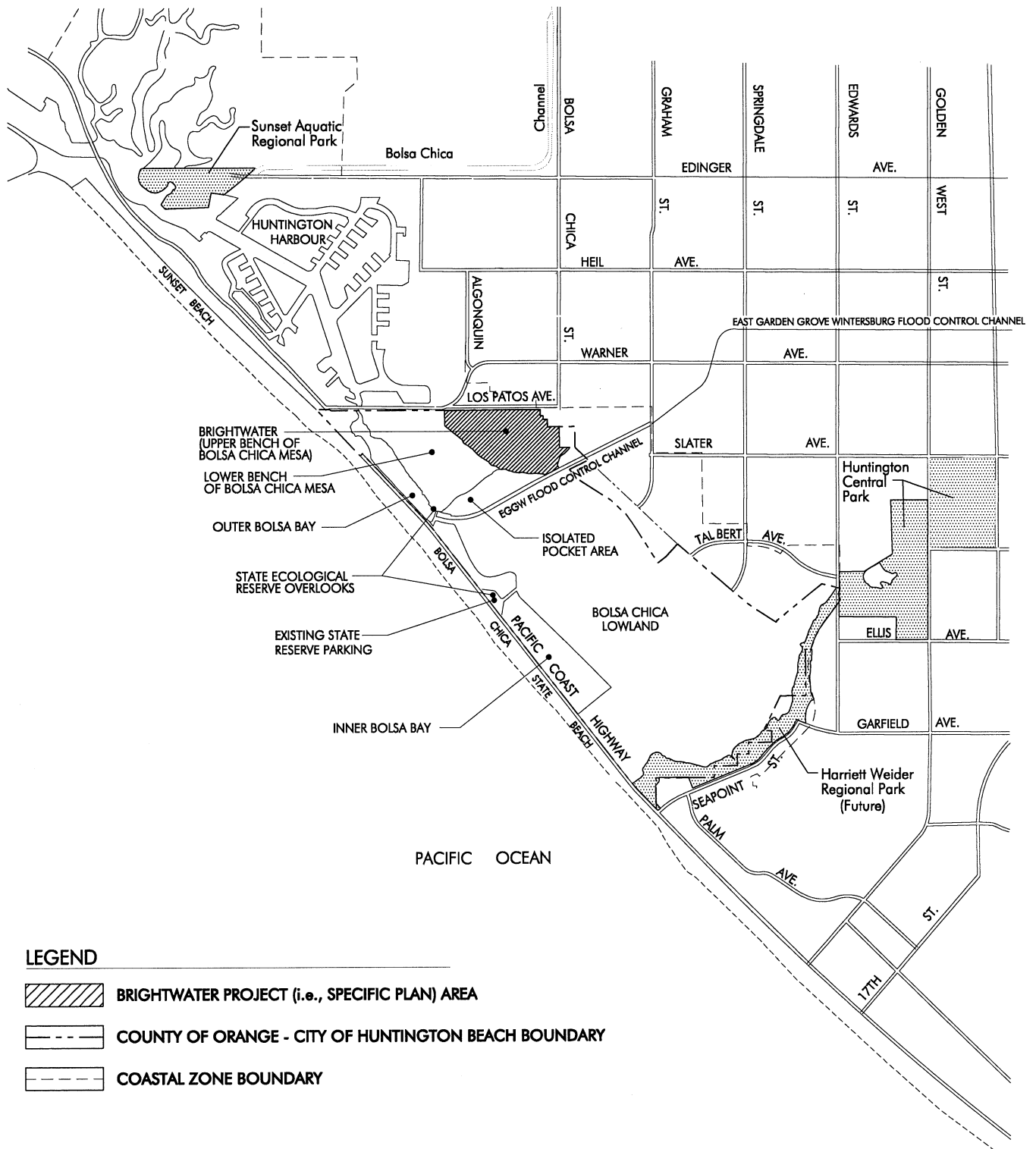
None.

PLANNING ISSUES

The planning issues that will be analyzed relating to the proposed project include whether the proposed annexation is consistent with and will not negatively impact surrounding land uses, whether the Brightwater Specific Plan is consistent with the findings required for adoption of a Specific Plan contained in Section 215.12 of the Zoning Code, whether the proposed amendments to the Zoning Code text and map are consistent with the findings contained in Section 247.1 of the Zoning Code and whether to adopt Negative Declaration No. 06-002 with findings of no significant adverse environmental impact.

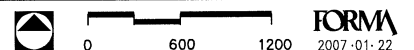
ATTACHMENTS:

1. Vicinity Map
2. Pre and rezoning map
3. Draft Brightwater Specific Plan dated May 2007
4. Draft Negative Declaration No. 06-002
5. Project narrative dated August 20, 2007

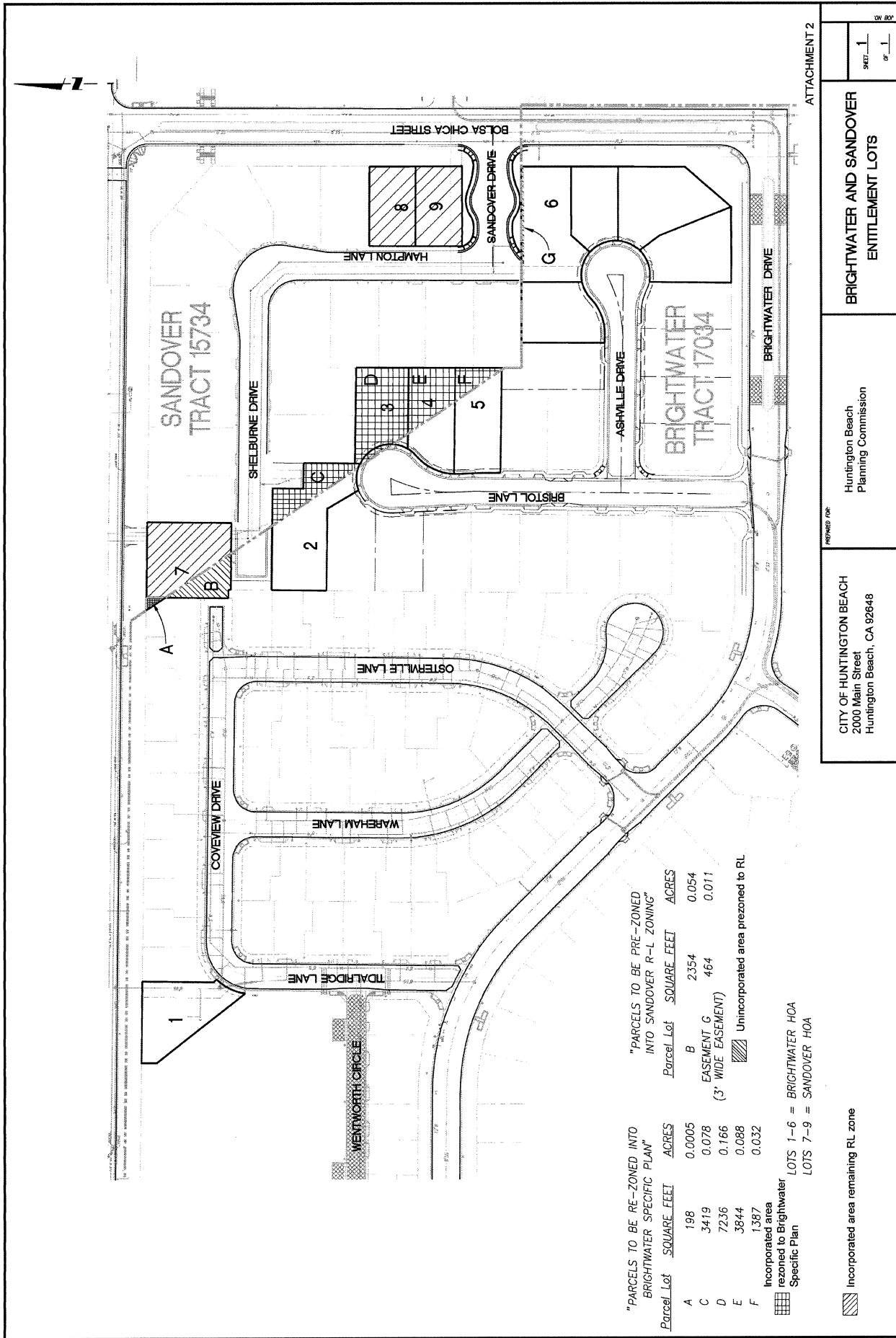


BRIGHTWATER SPECIFIC PLAN City of Huntington Beach • California

ATTACHMENT NO. **Vicinity Map**



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BRIGHTWATER SPECIFIC PLAN

DISTRIBUTED TO THE PLANNING COMMISSION ON AUGUST 8, 2007

Copy available at the Planning and Zoning Counter, 2000 Main Street, Central Library, 7111 Talbert Avenue, the Helen Murphy (Graham St.) Branch Library, 15882 Graham Street and the City's website, www.surfcity-hb.org/CityDepartments/planning/major/

**ENVIRONMENTAL CHECKLIST FORM
CITY OF HUNTINGTON BEACH
PLANNING DEPARTMENT
ENVIRONMENTAL ASSESSMENT NO. 06-02**

1. PROJECT TITLE:

Brightwater Specific Plan and Annexation

Concurrent Entitlements:

Zoning Text Amendment No. 06-01, Zoning Map Amendment No. 06-01 and Annexation No. 06-01

2. LEAD AGENCY:

City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Contact:

Jason Kelley, Associate Planner

Phone:

(714) 374-1553

3. PROJECT LOCATION:

The approximately 105.9-acre site is located at the northeast corner of the Bolsa Chica Mesa and is generally bounded by Los Patos Avenue to the north, Warner Avenue to the northwest and the terminus of Bolsa Chica Street to the east. A total of 105.3 acres of the site is currently located within the County of Orange. The remaining approximately 0.6-acre portion of the site area is located within the City of Huntington Beach between the existing Sandover homes and the Brightwater Development Project.

4. PROJECT PROPONENT:

Hearthside Homes, Inc.
6 Executive Circle, Suite 250
Irvine, CA 92614

Contact Person:

Ed Mountford, Senior Vice-President

Phone:

(949) 250-7760

**5. GENERAL PLAN
DESIGNATION:**

For the property currently located within the County of Orange, the proposed General Plan designations are RL-7-sp (Residential Low Density with a Specific Plan Overlay), RM-15-sp (Residential Medium Density with a Specific Plan Overlay), and OS-C-sp (Open Space – Conservation with a Specific Plan Overlay). For the property currently located within the City of Huntington Beach that will become part of the Brightwater Specific Plan, the General Plan land use designation is currently RL-7 and is proposed to be

changed to RL-7-sp (Residential Low Density with a Specific Plan Overlay).

6. **ZONING:** Proposed Specific Plan No. 16 (Brightwater Specific Plan) and RL (Residential Low Density) for the portion of the site that will become part of the Sandover project.

7. **PROJECT DESCRIPTION:**

The proposed project involves three components: 1) annexation application to Orange County Local Area Formation Commission (LAFCO) to annex the Brightwater Development Project into the City of Huntington Beach; 2) prezoning for portions of the Brightwater Development Project presently located within Orange County; and 3) rezoning of the portions of the subject property currently located within the City of Huntington Beach from RL (Residential Low Density) to Specific Plan.

Future references in this document to “the project” refer to all three proposed actions: annexation, prezoning, and rezoning. The project site includes approximately 105.3 acres located within Orange County and approximately 0.6 acres located within the City of Huntington Beach.

Unincorporated area:	105.3 acres
<u>Incorporated area:</u>	<u>0.6 acres</u>
Total:	105.9 acres

Prezoning involves the unincorporated area of the site and includes the following:

Prezone to Specific Plan:	105.235 acres
<u>Prezone to RL:</u>	<u>0.065 acres</u>
Total unincorporated area to be prezoned:	105.30 acres

The incorporated areas of the site area are proposed to be treated as follows:

Rezone to Specific Plan:	0.365 acres
<u>Remains RL zone:</u>	<u>0.230 acres</u>
Total incorporated area:	0.595 acres

Annexation

The City is proposing to annex 105.3 acres located in the jurisdiction of the County of Orange in multiple phases as homes are constructed and consistent with a Pre-Annexation Agreement between the City and the applicant, Hearthside Homes, Inc. The annexation process must be initiated by resolution by the City of Huntington Beach before submittal of the application to LAFCO.

Prezoning

The second component of the proposed project involves prezoning for the Brightwater Development Project (BDP) located within the County of Orange in accordance with LAFCO procedures. The large majority of the site (105.3 acres) is not currently under the jurisdiction of the City of Huntington Beach and does not have a City zoning designation. LAFCO requires that the City establish the site zoning before annexation is approved by LAFCO. Prezoning of the subject site includes a Zoning Text Amendment application for the creation of the Brightwater Specific Plan that will provide development standards for the Specific Plan area and a Zoning Map Amendment to amend the City

Zoning Map to establish the Specific Plan zoning on approximately 105.6 acres of the site and establish the RL on approximately 0.065 acres of the site. The 0.065-acre portion of the site within unincorporated Orange County is located between the BDP and the adjacent Sandover project within the City of Huntington Beach. The applicant proposes to prezone this area with RL zoning in order to incorporate it into the Sandover project. Refer to Figure A for the locations of the areas to be prezoned.

The total acreage of the Specific Plan area was calculated as follows (refer to Fig. A for lot locations):

Unincorporated site area:	105.3 acres
Lot B (future Sandover area):	(0.054)
Lot G (future Sandover area):	(0.011)
Lot A:	0.0005
Lot C:	0.078
Lot D:	0.166
Lot E:	0.088
Lot F:	0.032
Total:	105.5995

The Brightwater Specific Plan is intended to reflect the BDP as approved by Orange County and the California Coastal Commission. Previous entitlements include the Brightwater Amended Master Site Plan/Area Plan and project site plans approved by Orange County on October 5, 2005 and Coastal Development Permit (CDP) No. 5-05-020 issued by the California Coastal Commission on December 15, 2005. The BDP is located on the upper bench of the Bolsa Chica Mesa and consists of 349 single-family homes on 67.9 acres, 0.3 acres for a pump station, and 37.1 acres of habitat preservation and creation. At approximately 105.6 acres, the Brightwater Specific Plan area includes slightly more acreage than in the BDP as it incorporates an undeveloped portion of the Sandover project that is adjacent to the BDP, but located within the City of Huntington Beach. The Specific Plan will not result in an increase in the density or intensity of land use, beyond what was analyzed in Subsequent EIR No. 551, within the project area over that approved by the County of Orange and California Coastal Commission (CCC). Once ZMA No. 06-01 and ZTA No. 06-01 are approved and annexation has taken place, the City will proceed to amend the General Plan and Huntington Beach Local Coastal Program through the Coastal Commission.

Additional Homes within Brightwater Specific Plan

While the Specific Plan incorporates all of the conditions and mitigations measures imposed by the County of Orange and the California Coastal Commission (CCC), it would also allow the development of six additional residential units within the Specific Plan area. The units would be located on lots 1-6 as shown on Figure A. The original Vesting Tentative Tract Map No. 15460 approved by the County and the CCC designated lots 2-6 as lettered lots for future development. Lot 1 was a numbered lot for utility purposes. Lots 1-6 are proposed to be developed after project implementation and, as such, will require permits processed through the City of Huntington Beach.

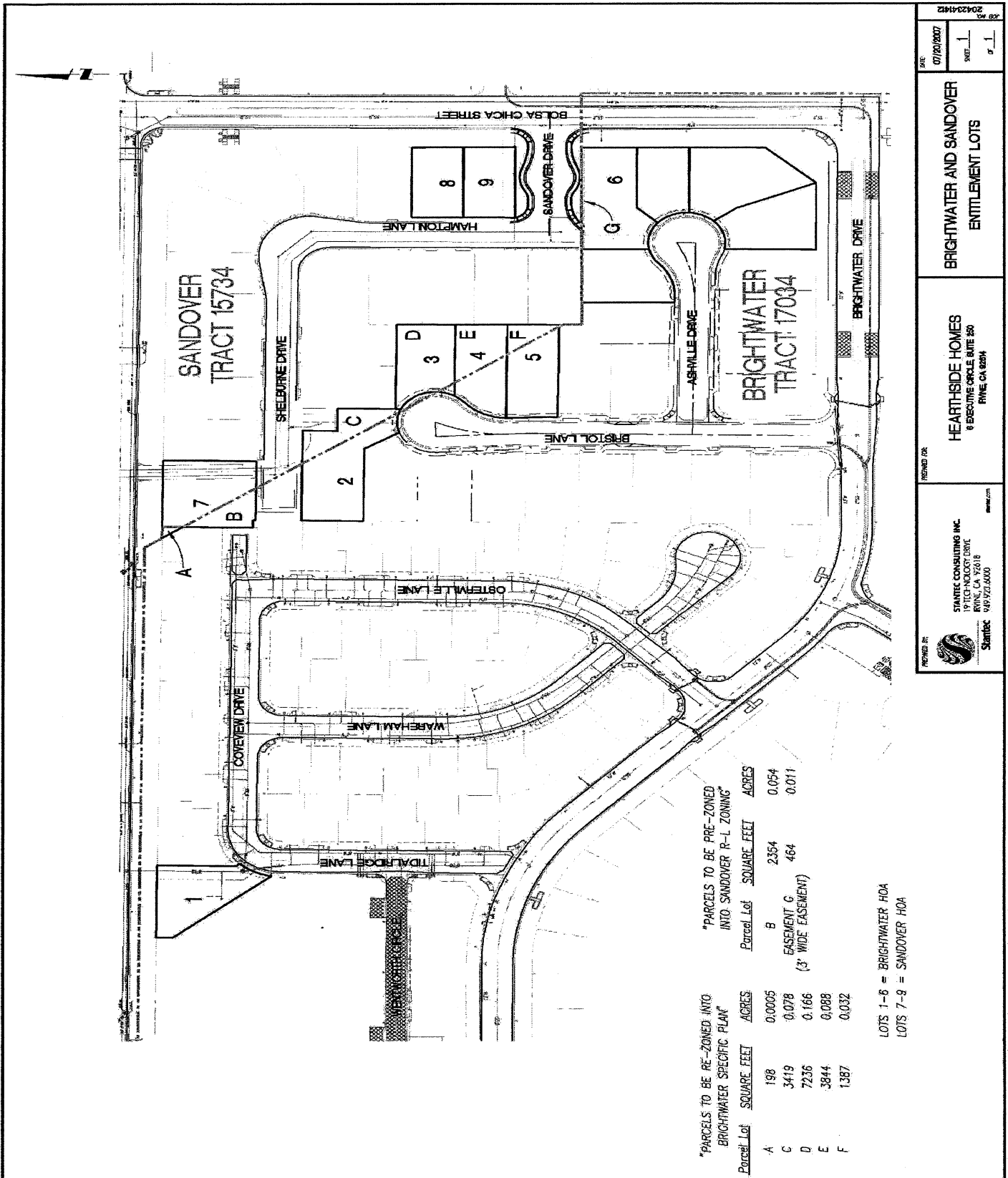
Rezoning

The rezoning includes changing the current zoning for the portion of the project site within the City of Huntington Beach from RL (Residential Low Density) to SP 16. For the total acreages to be rezoned refer to Figure A.

Relationship to the Sandover Project

The proposed Brightwater Specific Plan area is slightly larger than the BDP site approved under Orange County since it incorporates an undeveloped portion of the previously approved Sandover project (Lots C, D, E, and F on Figure A). Conversely, an undeveloped area of the BDP (Lot B shown on Figure A) is proposed to become part of the Sandover project and will be developed after project implementation. Permits for these additional homes will need to be processed through the City of Huntington Beach. The applicant ultimately intends to obtain approvals for two additional units in the Sandover project area that are entirely within the City of Huntington Beach and that are not a part of the rezoning, rezoning or annexation requests. These units were previously analyzed in Subsequent EIR No. 551.

Figure A



8. EXISTING PROJECT APPROVALS:

California Coastal Commission

CDP No. 5-05-020 (Coastal Development Permit) approved by the California Coastal Commission on April 14, 2005 and issued on December 15, 2005. CDP No. 5-05-020 was approved for 349 single-family residential lots on 67.9 acres and 37.1 acres of habitat restoration and public trail.

County of Orange:

Bolsa Chica Planned Community Program approved by Orange County on February 3, 1998 established the zoning for the site.

Brightwater Amended Master Site/Area Plan and Project Site Plans (PA No. 05-0053) were approved on October 5, 2005 reflecting Coastal Commission requested revisions under CDP No. 5-05-020.

Revised Vesting Tentative Tract Map No. 15460 was approved on October 18, 2005, also reflecting the Coastal Commissions Special Conditions on CDP 5-05-020. The second revision to VTTM No. 15460 was approved on June 14, 2006. The third revision to VTTM No. 15460 was approved on June 12, 2007.

Final Tract Maps for VTTM No. 15460 revised;
Final Tract Map No. 15460;
Final Tract Map No. 17032;
Final Tract Map No. 17033;
Final Tract Map No. 17034; and
Final Tract Map No. 17076.

Orange County LAFCO:

An out-of-area service agreement (OASA) was approved by LAFCO for the provision of water and sewer services by the City of Huntington Beach to the project site before annexation to the City. City of Huntington Beach water service was provided to the site for facilitation of the BDP grading and construction. City of Huntington Beach sewer service is provided to the BDP as construction proceeds.

City of Huntington Beach

On April 13, 1999, the City of Huntington Beach approved Tentative Tract Map No. 15734, Conditional Use Permit No. 98-49, Coastal Development Permit No. 98-17, and Mitigated Negative Declaration No. 98-11 for the 16-unit Sandover project. In addition to the residential lots, Tentative Tract Map No. 15734 included undeveloped lettered lots adjacent to the Orange County boundary. One of the lettered lots (Lot C; shown on Figure A as Lots C, D, E and F) will be incorporated into the Brightwater Specific Plan and designated for development of an additional four homes that will not take place until after annexation is approved by LAFCO. It should be noted that Subsequent EIR No. 551 included in the analysis development of these lots as well as other undeveloped residential areas that are located within the Sandover tract.

9. SURROUNDING LAND USES AND SETTING:

The state-owned 118-acre Lower Bench of Bolsa Chica Mesa is located southwesterly of the subject property and state-owned lands containing eucalyptus trees and a lowland area between the Mesa and the flood control channel is adjacent to the southeast. These areas are state-owned properties established as permanent open space areas. To the south and east is the East Garden Grove-Wintersburg Flood Control Channel. The existing 16-unit single-family residential project, known as Sandover, is located at the southwest corner of the intersection of Los Patos Avenue and Bolsa Chica Street. Undeveloped properties owned by Donald Goodell and Shea Homes are adjacent to the project on the east. To the north of the subject property, there is an existing single-family and mixed-density residential area on Los Patos Avenue and Warner Avenue.

10. OTHER PREVIOUS RELATED ENVIRONMENTAL DOCUMENTATION:

Subsequent Environmental Impact Report (EIR) No. 551 was certified by Orange County on July 22, 2002 as consistent with the Special Conditions imposed by the California Coastal Commission on CDP No. 5-05-020. The Subsequent Environmental Impact Report was prepared to evaluate the Brightwater project Master Site/Area Plan and Project Site Plans and Vesting Tentative Tract Map 15460. In addition to the Orange County approved project, the Subsequent EIR No. 551 analysis also included nine residential lots located in an undeveloped portion of the previously approved Sandover project. On October 5, 2005, the County of Orange approved an Addendum to Subsequent EIR No. 551 that was prepared to cover the Amended Master Site/Area Plan and Project Site Plans that reflected the project as conditioned by the Coastal Commission CDP No. 5-05-020.

Subsequent EIR No. 551 contains mitigation measures, standard conditions of approval and project design features directed at reducing project impacts to less than significant. The project design features have been incorporated into the project and the majority of mitigation and standard conditions of approval features will be monitored by the County of Orange and completed before implementation of the proposed project. The following provides a brief summary of the potential significant impacts and related mitigation measures and standard conditions of approval imposed on BDP that will continue to be implemented after approval of the proposed project. The parties responsible for monitoring of the remaining mitigation measures and standard conditions of approval are identified below where applicable.

Hydrology and Water Quality:

Subsequent EIR No. 551 and the October, 5, 2005 Addendum contain mitigation measures and monitoring actions that required the project to conform to the Orange County Municipal Stormwater Permit (Order No. 96-31, NPDES No. CAS618030) and the Orange County Drainage Area Management Plan requirements for Best Management Practices (BMPs) for runoff control and water quality standards. The Brightwater Maintenance Corporation is responsible for the continued maintenance and implementation of the project BMPs after completion of the BDP.

Traffic and Circulation

Subsequent EIR No. 551 included project design features (PDFs) that were required to be incorporated into the project to prevent traffic-related project impacts. PDFs consisted of improvements to be fully constructed with the project and participation in fair-share components to improve traffic at certain locations. Per the subject EIR, these improvements referred to as the Area Traffic Improvement Program (ATIP) were to be implemented in phases with issuance of building permits for the BDP homes, which are being issued by the County of Orange, prior to annexation.

Biological Resources

The mitigation and monitoring program imposed by Subsequent EIR No. 551 contains specific measures to address short and long-term impacts to biological resources. A comprehensive habitat management plan (CHMP) was prepared for the BDP to comply with Special Condition No. 10 imposed by the California Coastal Commission on CDP 5-05-020. Among other conditions, CDP No. 5-05-020 contains conditions relating to the continued maintenance and management of the habitat conservation areas. The CHMP assigns responsibility for the continued maintenance and management of the habitat conservation areas to the Brightwater Maintenance Corporation (BMC) as the Master Homeowners' Association for Brightwater.

Hazards and Hazardous Materials

Project design features and standard conditions relating to hazards and hazardous materials included preparation of a fuel modification plan in accordance with the Orange County Fire Authority; preparation of a plan for remediation if contaminated soils are discovered during grading, and reabandonment of two abandoned oil wells within the residential portion of the BDP site in accordance with State and Orange County procedures. Reabandonment of the two oil wells and remediation of contaminated soils will take place before project implementation. A standard condition required the preparation of a fuel modification plan in accordance with the Orange County Fire Authority before approval of grading permits. Continued maintenance of the 100-foot fuel modification zone is the responsibility of the Brightwater Maintenance Corporation.

Public Services

Both the BDP and the Brightwater Specific Plan provides for approximately 38 acres of open space/passive recreation areas within the site that consist the following: paseos; pocket parks; a 2.9-acre Southern Tarplant preservation area; 29.2-acre native grasslands and Coastal Sage Scrub creation area; and a five-acre Eucalyptus Environmentally Sensitive Habitat Area (ESHA). A pedestrian trail is located along the upper edge of the Southern Tarplant preservation area and, as with all on-site recreational areas, will be available to residents as well as the general public. The Brightwater Maintenance Corporation (BMC) provides for the permanent care and maintenance of all common areas and open space. As such, the City of Huntington Beach will not be responsible for maintenance of any of the on-site open space areas.

Utilities and Service Systems

Subsequent EIR No. 551 contains mitigation measures and monitoring actions that required the BDP to conform to the Orange County Municipal Storm water Permit (Order No. 96-31, NPDES No. CAS618030) and the Orange County Drainage Area Management Plan requirements for BMPs for runoff control and water quality standards. The Brightwater Maintenance Corporation is responsible for the continued maintenance and implementation of the structural and non-structural BMPs after project completion.

Recreation

Subsequent EIR NO. 551 found that the BDP would have a less than significant impact on local, regional or state recreational resources with the implementation of standard conditions and project design features. Both the BDP and the Brightwater Specific Plan provides for approximately 38 acres of open space/passive recreation areas within the site that consist the following: paseos; pocket parks;

a 2.9-acre Southern Tarplant preservation area; 29.2-acre native grasslands and Coastal Sage Scrub creation area; and a five-acre Eucalyptus Environmentally Sensitive Habitat Area (ESHA). A pedestrian trail is located along the upper edge of the Southern Tarplant preservation area and, as with all on-site recreational areas, will be available to residents as well as the general public. The Brightwater Maintenance Corporation provides for the permanent care and maintenance of all common areas.

Aesthetics

Subsequent EIR No. 551 evaluated visual impacts of the BDP and concluded that development of the BDP site would result in a significant impact to a public view shed that could not be avoided if the site were to be developed. Orange County required specific project design features and standard conditions as mitigation for these impacts relating to aesthetics that reduced any remaining potential impacts to aesthetics to less than significant. The Subsequent EIR No. 551 concluded that landscape design guidelines, building setbacks and architectural controls would reduce most of the visual impacts from the BDP to less than significant.

Cultural Resources

Subsequent EIR No. 551 concluded that all project-related (BDP) impacts to cultural resources will be reduced to a less than significant level with implementation of Standard Conditions of Approval (SCAs) and Project Design Features (PDFs) that will be implemented before conclusion of grading of the site.

10. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED):

The Local Agency Formation Commission (LAFCO) approval of the proposed annexation of the subject property must be completed after the City of Huntington Beach entitlement process is finished.

Any Local Coastal Program Amendment is subject to review and approval by the California Coastal Commission.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or is "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities / Service Systems |
| <input type="checkbox"/> Geology / Soils | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. ☒

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared. ☐

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. ☐

I find that the proposed project **MAY** have a "potentially significant impact" or a "potentially significant unless mitigated impact" on the environment, but at least one impact (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, **nothing further is required**. ☐

Signature

Date

Printed Name

Title

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards.
2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. "Potentially Significant Impact" is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more "Potentially Significant Impact" entries when the determination is made, preparation of an Environmental Impact Report is warranted.
4. Potentially Significant Impact Unless Mitigated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVIII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVIII at the end of the checklist.
6. References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided in Section XVIII. Other sources used or individuals contacted have been cited in the respective discussions.

g) The following checklist has been formatted after Appendix G of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the City of Huntington Beach's requirements.

SAMPLE QUESTION:

ISSUES (and Supporting Information Sources):

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the proposal result in or expose people to potential impacts involving:

Landslides? (Sources: 1, 6)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The attached source list explains that 1 is the Huntington Beach General Plan and 6 is a topographical map of the area which show that the area is located in a flat area. (Note: This response probably would not require further explanation).

ISSUES (and Supporting Information Sources):	Potentially Significant			
	Potentially Significant Impact	Unless Mitigation Incorporated	Potentially Significant Impact	Less Than Significant Impact

No Impact

I. LAND USE AND PLANNING. Would the project:

- a) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Sources: #1, 2) ☐ ☐ ☒ ☐

Discussion: The proposed annexation and prezoning of the BDP and rezoning of 0.365 acres located within the City of Huntington Beach will not result in a conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

The proposed annexation is consistent with the City’s General Plan. The BDP has received entitlements and permits from Orange County and is in the process of being constructed. The proposed annexation will take place in phases after homes have been constructed. As such, the proposed project is consistent with General Plan Land Use Element goal LU 3 and related policies LU 3.1.1 and 3.2.1 relating to annexation as follows:

“Achieve the logical, orderly, and beneficial expansion of the City’s services and jurisdictional limits.” (Goal LU 3)

“Require that any lands proposed for annexation are contiguous with the City.” (Policy LU 3.1.1)

“Require that the existing and future land uses located within the proposed annexation area are compatible with the adjacent City uses.” (Policy LU 3.1.2)

The proposed annexation is within the City’s sphere of influence and is contiguous with the City boundary on the north. The proposed project is a logical and orderly extension of the City’s boundaries and services. The BDP consists of single-family residential and open space/conservation areas that are consistent with existing single-family development adjacent to the project area on the north and the open space uses to the south.

Coastal development permits (CDPs) must be approved by the California Coastal Commission for projects located in areas without certified Local Coastal Plans. As the project site is within an area without a certified local coastal plan, CDP 5-05-020 was issued for the BDP by the Commission in December 2005. The project is consistent with CDP No. 5-05-020 in that the proposed Specific Plan was created to be consistent with the requirements of that permit and approval is conditioned on continued compliance with the approved CDP. The additional six homes will be subject to approval pursuant to the Specific Plan or existing County/City process depending on the time of both projects. Additional homes in the Sandover Project would also require entitlements pursuant to the City’s RL (Residential Low Density) standards.

The proposed prezoning of the BDP and rezoning of 0.365 acres located within the City of Huntington Beach with the Brightwater Specific Plan is consistent with the City’s Zoning Code in that it meets the findings required in Section 215.12 of the City of Huntington Beach Zoning and Subdivision Ordinance. The project meets the findings required for approval of a Specific Plan as follows:

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

“The Specific Plan is consistent with the adopted Land Use Element of the General Plan and, if in the coastal zone, with the certified Local Coastal Land Use Plan, and other applicable policies and is compatible with the surrounding development.”

The proposed Specific Plan is consistent with the General Plan as described above and is consistent with the surrounding single-family residential to the north and open space to the south in that it designates the approved BDP as single-family residential and open space/conservation area. The proposed Specific Plan has been developed to be consistent with CDP No. 5-05-020 and is not inconsistent with the existing RL zoning on the 0.365 acres.

“The Specific Plan will enhance the potential for superior urban design in comparison with the development under the base district provisions that would apply if the Plan were not adopted.”

The Brightwater Specific Plan provides an extensive list of architectural design guidelines that ensure that development occurring after approval, including residential additions and remodeling, of the annexation will be consistent with the quality of existing development within the Specific Plan area.

“Deviations from the base district provisions that otherwise would apply are justified by compensating benefits of the Specific Plan.”

The Brightwater Specific Plan contains provisions that require preservation of open space/habitat areas that preserve environmentally sensitive plant and animal species. The open space/habitat conservation areas provide a direct benefit to the City in that in some areas trails will be assessable to the public, and preservation of environmentally sensitive areas is a benefit to the City and surrounding community as well as the Southern California region.

“The Specific Plan includes adequate provisions for utilities, services, and emergency vehicle access; and public services demands will not exceed the capacity of existing and planned systems.”

The Specific Plan contains provisions for the adequate provision of all utilities, services and emergency access to the project area.

- b) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Sources: #14, 15, 16, 17, & 18) ☐ ☐ ☐ ☒

Discussion: The proposed project will not conflict with any applicable habitat conservation plan or natural community conservation plan. With approval of the BDP by Orange County, a Comprehensive Habitat Management Plan was prepared for the approximately 105.3 acres of the BDP in order to comply with the special conditions imposed by the California Coastal Commission on CDP 5-05-02. Site development standards and regulations of the Brightwater Specific Plan are consistent with CDP 5-05-02 special conditions and the Comprehensive Habitat Management Plan. Therefore, implementation of the proposed project will not have an impact in this area.

- c) Physically divide an established community? (Sources: #1) ☐ ☐ ☐ ☒

Discussion: The BDP was approved by Orange County and is currently under construction. The Brightwater Specific Plan was created to be consistent with the BDP approved by Orange County and no increase in density

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

or intensity of land use beyond what was analyzed in Subsequent EIR No. 551 is proposed. The five lots identified in the Specific Plan that are located between the BDP and existing Sandover homes and the additional Sandover lots will not physically divide the existing Sandover project. As such, the proposed project involving annexation, prezoning and rezoning of the property is not expected to result in an increase in density or intensity of development and would not physically divide the project area and would not result in any impact in this area.

II. POPULATION AND HOUSING. Would the project:

- a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extensions of roads or other infrastructure)? (Sources: #1, 2, 17 & 19) ☐ ☐ ☐ ☒

Discussion: The proposed project will not induce substantial population growth in the area. The annexation will take place in phases after each project phase has been completed. The ZTA and ZMA adopting the Brightwater Specific Plan reflect the project as approved by Orange County and, as such, are within the parameters of the residential development and habitat protection and creation evaluated in Subsequent EIR No. 551, which also included an analysis of the additional nine homes proposed to be constructed after project approval. Consequently, the Specific Plan and related ZTA and ZMA will not induce any new substantial population growth in the area beyond what was analyzed in Subsequent EIR No. 551.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Sources: #1, 17 & 19) ☐ ☐ ☐ ☒

Discussion: See discussion under item c.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Sources: #1) ☐ ☐ ☐ ☒

Discussion b) & c): The annexation, and prezoning of the BDP and rezoning of 0.365 acres located within the City of Huntington Beach will not displace substantial numbers of existing housing or displace substantial numbers of people necessitating the construction of replacement housing. The Brightwater project was approved by Orange County and the California Coastal Commission and is currently under construction on previously vacant land. Therefore, the proposed project will not create any new impacts in these areas.

GEOLOGY AND SOILS. Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Sources: #1, 6, 12, 17 & 19) ☐ ☐ ☐ ☒

Discussion: See discussion below.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- ii) Strong seismic ground shaking? (Sources: #1, 6, 12, 17 & 19)

☐ ☐ ☐ ☒

Discussion: See discussion below.

- iii) Seismic-related ground failure, including liquefaction? (Sources: #1, 6, 12, 17 & 19)

☐ ☐ ☐ ☒

Discussion: See discussion below.

- Landslides? (Sources: #1, 6, 12, 17 & 19)

☐ ☐ ☐ ☒

Discussion a): The project involves annexation of the approximately 105.3-acre BDP and rezoning of the BDP and rezoning of 0.365 acres located within the City of Huntington Beach with the Brightwater Specific Plan. The project is within the parameters of residential development evaluated in Subsequent EIR No. 551. Therefore, implementation of the project would not create any new impacts relating to exposure of people or structures to substantial adverse effects relating to rupture of a known earthquake fault, strong seismic ground shaking, and seismic-related ground failure, including liquefaction; landslides, etc.

- b) Result in substantial soil erosion, loss of topsoil, or changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources: #1, 6, 12, 17 & 19)

☐ ☐ ☐ ☒

Discussion: See discussion below.

- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Sources: #1, 6, 12, 17 & 19)

☐ ☐ ☐ ☒

Discussion: See discussion below.

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Sources: 1, 6, 12, 17 & 19)

☐ ☐ ☐ ☒

Discussion b) through d): The proposed project involves annexation of the approximately 105.3-acre BDP and rezoning of the BDP and rezoning of 0.365 acres located within the City of Huntington Beach to implement the Brightwater Specific Plan. The Brightwater Specific Plan is reflective of the project as approved by Orange County and the CCC and is within the parameters of residential development and habitat protection and creation evaluated in Subsequent EIR No. 551. Annexation will take place in phases as homes are constructed. Therefore, the project would not create any new impacts relating to soil erosion, loss of topsoil, or changes in topography or unstable soil conditions from excavation, grading or fill; or unstable soil conditions; or unstable or expansive soils.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of

☐ ☐ ☐ ☒

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

wastewater (Sources: #1, 6, 12, 17 & 19)

Discussion e): The Brightwater Specific Plan area will be served by City of Huntington Beach sewer line per the out-of-area service agreement approved by Orange County LAFCO to allow the city to provide sewer services to the site before annexation. The provision of sewer services will continue to be provided by the City upon annexation of the project site. Therefore, the project will have no impact in this area.

IV. HYDROLOGY AND WATER QUALITY. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? (Sources: # 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion under b).

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted? (Sources: # 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project reflects the BDP as approved by Orange County and the California Coastal Commission and is within the parameters of residential development and habitat protection and creation evaluated in Subsequent EIR No. 551. The proposed ZMA and ZTA are also consistent with the approved BDP and CDP No. 5-05-020 and would not result in any additional density or intensity of land use beyond what was analyzed in Subsequent EIR No. 551 and will not result in construction of new infrastructure. Therefore, implementation of the proposed project would not create any new environmental impacts relating to water quality standards or waste discharge requirements, groundwater supplies or groundwater recharge.

- | | | | | |
|--|--|--------------------------|--------------------------|-------------------------------------|
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site? (Sources: # 17 & 19) | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off-site? (Sources: #17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion c) & d): The proposed project reflects the BDP as approved by Orange County and the California Coastal Commission and is within the parameters of residential development and habitat protection and creation evaluated in Subsequent EIR No. 551. The proposed Specific Plan would not result in an increase in density or intensity of land use beyond what was analyzed in Subsequent EIR No. 551. Annexation will take

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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place in phases after homes area constructed. As such, implementation of the proposed project would not result in alteration of an existing drainage pattern or stream or river course and, therefore, would not result in increased erosion or siltation on or off-site or result in flooding on or off site. The project would not create any new impacts relating to these issues.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (Sources: # 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Otherwise substantially degrade water quality? (Sources: # 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion e) and f): The proposed project reflects the BDP as approved by Orange County and the California Coastal Commission and is within the parameters of residential development and habitat protection and creation evaluated in Subsequent EIR No. 551. The proposed Brightwater Specific Plan would not result in additional density or intensity of land use beyond what was analyzed in Subsequent EIR No. 551 and annexation will take place in phases after homes are constructed. As such, implementation of the proposed project would not create or contribute runoff that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff or otherwise substantially degrade water quality. Therefore, the project would not have an impact in these areas.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Sources: # 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h) Place housing within a 100-year flood hazard area structures which would impede or redirect flood flows? (Sources: # 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion g) & h): The project area is outside a FEMA designated 100-year floodplain.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Sources: # 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed annexation, rezoning and rezoning are reflective of the BDP as approved by Orange County and the California Coastal Commission and are within the parameters of residential development and habitat protection and creation evaluated in Subsequent EIR No. 551. The proposed project would not result in an increase of density or land use intensity on the site beyond what was analyzed in Subsequent EIR No. 551. Therefore, implementation of the proposed project would not have any new impacts in this area.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| j) Inundation by seiche, tsunami, or mudflow? (Sources: # 1, 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Unless Mitigation Incorporated				Less Than Significant Impact	No Impact
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Unless Mitigation Incorporated		

Discussion: The proposed project is reflective of the BDP as approved by Orange County and the California Coastal Commission and is within the parameters of residential development and habitat protection and creation evaluated in Subsequent EIR No. 551. Consequently, the proposed project will not result in additional density or intensity of land use. Therefore, the proposed project will not result in any new impacts relating to risk of inundation from seiche, tsunami or mudflow.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| k) Potentially impact storm water runoff from construction activities? (Sources: # 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| l) Potentially impact storm water runoff from post-construction activities? (Sources: # 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| m) Result in a potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas? (Source: # 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| n) Result in the potential for discharge of storm water to affect the beneficial uses of the receiving waters? (Sources: # 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| o) Create or contribute significant increases in the flow velocity or volume of storm water runoff to cause environmental harm? (Sources: # 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| p) Create or contribute significant increases in erosion of the project site or surrounding areas? (Sources: # 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion items k) through p): The proposed annexation, prezoning and rezoning are reflective of the BDP as approved by Orange County and the California Coastal Commission and are within the parameters of residential development and habitat protection and creation evaluated in Subsequent EIR No. 551. The project would not result in an increase in density or intensity of land use beyond what was analyzed in Subsequent EIR No. 551 and the proposed annexation will take place in phases after homes are constructed. As such, no new construction or development will occur as a result of the project that would create significant hydrology and water quality impacts. Implementation of the project will not result in new environmental impacts to hydrology and water quality.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. **AIR QUALITY.** The city has identified the significance criteria established by the applicable air quality management district as appropriate to make the following determinations. Would the project:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Sources: #1, 8, 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Expose sensitive receptors to substantial pollutant concentrations? (Sources: : #1, 8, 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Create objectionable odors affecting a substantial number of people? (Sources: : #1, 8, 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
- Discussion:** See discussion below.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Conflict with or obstruct implementation of the applicable air quality plan? (Sources: : #1, 8, 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Sources: : #1, 8, 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion a) through e): The proposed project is reflective of the BDP as approved by Orange County and the California Coastal Commission and is within the parameters of residential development and habitat protection and creation evaluated in Subsequent EIR No. 551. Implementation of the project would not result in an increase in density or intensity of land use beyond what was analyzed in Subsequent EIR No. 551. No new construction or development will occur as a result of the project that would create a significant air quality impact. Therefore, implementation of the project will not result in any new impacts to air quality.

VI. **TRANSPORTATION/TRAFFIC.** Would the project:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (e.g., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections? (Sources:#1, 17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Sources: #1, 17 & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: See discussion below.				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Sources: #1, 10, 17 & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: See discussion below.				
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses? (Sources: #1, 10, 17 & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: See discussion below.				
e) Result in inadequate emergency access? (Sources: #1, 10, 17 & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: See discussion below.				
f) Result in inadequate parking capacity? (Sources: #1, 10, 17 & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: See discussion below.				
g) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Sources: # 17 & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion c) through f): The proposed project involves rezoning of the BDP and rezoning of 0.365 acres located within the City of Huntington Beach with the Brightwater Specific Plan and annexation into the City of Huntington Beach. The Brightwater Specific Plan is reflective of the BDP approved by Orange County and the California Coastal Commission and would not result in an additional increase in density or intensity of land use beyond what was analyzed in Subsequent EIR No. 551. Annexation will take place in phases after homes are constructed. In addition, the site will be fully served by adequate infrastructure and will not require an extension of infrastructure before annexation takes place. No new construction or development will occur that may cause a substantial increase in vehicle trips or a significant transportation/traffic impact. Therefore, implementation of the proposed project will not result in any new impacts from transportation/traffic-related issues.

VII. BIOLOGICAL RESOURCES. Would the project:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Sources: #1, 13, 15, 16, 17 & 18)

Discussion: See discussion below.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? (Sources: #1, 13, 15, 16, 17 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Sources: #1, 13, 15, 16, 17 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites? (Sources: #1, 13, 15, 16, 17 & 18)) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources: #1, 13, 15, 16, 17 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Sources: #1, 13, 15, 16, 17 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion a) through f): The proposed project reflects the BDP approved by Orange County and California Coastal Commission and is within the parameters of residential development and habitat protection and creation evaluated in Subsequent EIR No. 551. Annexation of the BDP site will take place in phases after homes are constructed. As such, the project will not result in increased density or intensity of land use, beyond what was analyzed in Subsequent EIR No. 551, in the project area and will not create any new significant environmental impacts relating to biological resources above what was identified in Subsequent EIR No. 551. Therefore, the proposed project will not result any new impacts to biological resources.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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VIII. MINERAL RESOURCES. Would the project:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Sources: #1, 6, 15, 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See below.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? (Sources: # 1, 15, 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion a) & b): There are no known mineral resources on the project site. As the proposed project reflects the BDP approved by Orange County and under CDP 5-05-020 and development analyzed in Subsequent EIR No. 551, no substantial increase in construction or development will result from implementation of the project. The proposed annexation will take place in phases after homes are constructed. Therefore, the project will not result in any new impacts on mineral resources.

IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Sources: #1, 10, 11, 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Sources: # 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school? (Sources: # 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Sources: # 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant			
	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Discussion items a) through d): The Brightwater Specific Plan reflects the BDP as approved by Orange County and the California Coastal Commission and is within the parameters of residential development and habitat protection and creation evaluated in Subsequent EIR No. 551. The proposed Brightwater Specific Plan will not result in additional density or intensity of land use beyond what was analyzed in Subsequent EIR No. 551. Annexation will take place in phases after homes area constructed. Consequently, the project would not create any new environmental impacts relating to the transportation, use or disposal of hazardous materials or to exposure of the public or environment to hazardous materials on the site.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Sources: # 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion under item e.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Sources: # 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site is not located within an airport land use planning area or within a two mile radius of a public airport or public use airport. There are no hazards associated with airport land uses for persons residing or working within the project area.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources: #1, 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion under item h.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Sources: # 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion items f) & g): The project is consistent with that approved by Orange County and the California Coastal Commission and is within the parameters of residential development and habitat protection and creation evaluated in Subsequent EIR No. 551. As such, the project would not create any new environmental impacts relating to impairment of or physical interference with an adopted emergency response plan or emergency evacuation plan or exposure of people to risks from wildland fires. As such, the project will not result in additional impacts relating an adopted emergency response plan, emergency evacuation route or exposure of people or structures to risks from wildland fires.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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X. NOISE. Would the project result in:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Sources: #1, 12, 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? (Sources: #1, 12, 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: #1, 12, 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: #1, 12, 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion items a) through d): The proposed project would not result in an increase in density or intensity of development beyond what was analyzed in Subsequent EIR No. 551. As such, the project would not result in a substantial permanent increase in noise levels, excess ground borne vibration or noise levels, and ambient noise levels in the project vicinity above levels existing without the proposed project. Therefore, the proposed project will have no additional impacts in these areas

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: #1, 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site is not located within an airport land use planning area or within two miles of a public airport or public use airport.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Sources: #17 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site is not located within the vicinity of a private airstrip.

XI. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental

ISSUES (and Supporting Information Sources):	Potentially Significant			
	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- a) Fire protection? (Sources: # 16 & 18) ☐ ☐ ☐ ☒

Discussion: The Orange County Fire Authority (OCFA) currently serves the majority of the site. However, a mutual aid agreement between the City and OCFA is currently in place. With implementation of the proposed project, the City of Huntington Beach Fire Department will provide fire protection services to the site, though the mutual aid agreement will remain in effect. Provision of fire services to the site by the City of Huntington Beach was analyzed in Subsequent EIR No. 551 which found that the City Fire Department will meet the standard response times of three to five minutes using existing facilities, equipment, and personnel. Fire suppression sprinklers are being installed within the homes, which will reduce the need for fire services to the site. As such, the change in the provision of fire services to the site with project implementation will not result in any new impacts in this area.

- b) Police Protection? (Sources: # 16 & 18) ☐ ☐ ☐ ☒

Discussion: The Orange County Sheriff-Coroner Department (OCSCD) currently serving the majority of the site will change with implementation of the project to the City of Huntington Beach Police Department. Provision of law enforcement services to the site by both the City of Huntington Beach and by OCSCD were analyzed in Subsequent EIR No. 551, which found that both departments have the capacity to meet the standard response times of five minutes using existing facilities, equipment, and personnel. There is also a mutual aid agreement currently in effect between the City and OCSCD to provide law enforcement services in the project area. As such, the change in the police service provider to the site with project implementation will not result in any new impacts in this area.

- c) Schools? (Sources: # 16 & 18) ☐ ☐ ☐ ☒

Discussion: The proposed project involves the annexation of approximately 105.3 acres of land into the City of Huntington Beach and associated rezoning of the BDP and rezoning of 0.365 acres located within the City of Huntington Beach with the Brightwater Specific Plan area. Current service providers include the Huntington Beach Union High School and the Ocean View School District and will not change with project implementation. Therefore, implementation of the project will not result in any additional impact in to schools.

- d) Parks? (Sources: #1, 16 & 18) ☐ ☐ ☐ ☒

Discussion: The proposed project involves the annexation of approximately 105.3 acres of land into the City of Huntington Beach and associated rezoning and rezoning of the property with the Brightwater Specific Plan. The annexation will take place in phases after homes are constructed. The Brightwater Specific Plan was developed to reflect the BDP as approved by Orange County, CDP # 5-05-020 and the Brightwater Habitat Management Plan. Therefore, no increase in density or intensity of land use, beyond what was analyzed in Subsequent EIR No. 551, will occur that will result in the need for additional parks. Therefore, implementation of the proposed project will not result in any new impacts to parks.

- e) Other public facilities or governmental services? (Sources: # 16 & 18) ☐ ☐ ☐ ☒

Discussion: The proposed project will result in a change of the provision of emergency medical services to the BDP from Orange County Fire Department to the City of Huntington Beach Fire Department. Subsequent EIR

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

No. 551 and Addendum dated September 26, 2005 found the provision of emergency medical services would result in project-related impacts to emergency medical service provision and would be potentially significant. As a result of a mitigation measure specified in Subsequent EIR No. 551, the applicant entered into a Secured Fire Protection Agreement with Orange County Fire Authority in 2006 that would result in the reduction of potential significant impacts to less than significant. Subsequently, the applicant, Orange County and the City of Huntington Beach entered into an agreement that transferred the provision of fire and emergency medical services and pro rata fair share costs for provision of those services to the City of Huntington Beach upon annexation of the BDP into the City of Huntington Beach. As the proposed project will not result in an increase in density or intensity of development beyond what was analyzed in Subsequent EIR No. 551, implementation of the project will not result in additional impacts in this area.

XIV. UTILITIES AND SERVICE SYSTEMS. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
(Sources: # 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Sources: # 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Sources: # 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion items a) through c): The proposed project involves annexation of the approximately 105.3-acre BDP in phases after homes are constructed and rezoning of the BDP and rezoning of 0.365 acres located within the City of Huntington Beach to implement the Brightwater Specific Plan. The proposed project reflects the development approved by Orange County and the California Coastal Commission and as evaluated in Subsequent EIR No. 551. As such, the project will not create additional density or intensity of land use, beyond what was analyzed in Subsequent EIR No. 551, and will not result in construction of new infrastructure. In addition the proposed annexation will take place in phases after homes are constructed. Therefore, implementation of the proposed project will not create any new impacts that would result in the construction of new storm water drainage facilities or expansion of existing facilities, exceed wastewater treatment requirements, or require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Sources: # 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Unless Mitigation Incorporated				Less Than Significant Impact	No Impact
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Unless Mitigation Incorporated		

Discussion: The BDP is served by the City of Huntington per a preannexation agreement and LAFCO approval. The pre-annexation agreement included a determination by the City of Huntington Beach that sufficient water supply was available to serve the project site. The provision of water services to the site will not change with annexation of the site into the City of Huntington Beach.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Sources: # 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Sources: # 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Comply with federal, state, and local statutes and regulations related to solid waste? (Sources: # 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion items e) through g): The project involves annexation of approximately 105.3 acres into the City of Huntington Beach and prezoneing of the BDP and rezoning of 0.365 acres located within the City of Huntington Beach to establish the Brightwater Specific Plan for the project site. The Brightwater Specific Plan was created to reflect the BDP approved by Orange County and the California Coastal Commission and is within the parameters of the residential development and habitat protection and creation evaluated in Subsequent EIR No. 551. The project will not increase the density or intensity of development within the project area beyond what was analyzed in Subsequent EIR No. 551. Consequently, the project will not result in additional impacts on landfill capacity and compliance with regulations pertaining to solid waste.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h) Include a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. water quality treatment basin, constructed treatment wetlands?) (Sources: # 16 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project involves annexation of the approximately 105.3-acre BDP in phases after homes are constructed and prezoneing of the BDP and rezoning of 0.365 acres located within the City of Huntington Beach to implement the Brightwater Specific Plan. The project reflects the development approved by Orange County and the California Coastal Commission and as evaluated in Subsequent EIR No. 551. The project will not create additional density or intensity of land use beyond what was analyzed in Subsequent EIR No. 551 and will not result in construction of new infrastructure. As such the project will not create any new impact in this area.

XV. AESTHETICS. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista? (Sources: #1, 16, 18 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: See discussion below.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Sources: #1, 15, 16, 17 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? (Sources: #1, 15, 16, 17 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion items a) through c): The Brightwater Specific Plan reflects the BDP as approved by Orange County and the California Coastal Commission and contains landscape design guidelines, building setbacks and architectural guidelines that will regulate any new development within the BDP area after implementation of the current project. The Brightwater Specific Plan will provide the regulatory controls for such development, which may include new additions, alterations and reconstruction of existing homes and new landscaping. The proposed project will be implemented after homes are constructed and will not create additional density or land use intensity beyond what was analyzed in Subsequent EIR No. 551. The HOA and Brightwater Maintenance Corporation (BMC) as the Master Homeowners' Association for Brightwater will provide for the continued maintenance of the project landscaping and habitat conservation areas. Therefore, implementation of the proposed project will not result in any new impacts to aesthetics.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: #1, 15, 16, 17 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project involves annexation of approximately 105.3 acres into the City of Huntington Beach and rezoning of the BDP and rezoning of 0.365 acres located within the City of Huntington Beach to the Brightwater Specific Plan. The project will be implemented after the site has been developed and, as such, will not result in additional sources of light and glare beyond what was analyzed in Subsequent EIR No. 551. Therefore, the project will not result in any new impacts from light or glare.

XVI. CULTURAL RESOURCES. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (Sources: #16, 17, 18 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Sources: #15, 16, 17 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Directly or indirectly destroy a unique paleontological resource or site unique geologic feature? (Sources: #15, | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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16, 17 & 18)

Discussion: See discussion under item d.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Disturb any human remains, including those interred outside of formal cemeteries? (Sources: # 15, 16, 17 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion items a) through d): The proposed project is reflective of the project as approved by Orange County and the California Coastal Commission and is within the parameters of residential development and habitat protection and creation evaluated in Subsequent EIR No. 551. Implementation of the project will take place after all homes have been constructed and will not result in additional density of intensity of land use beyond what was analyzed in Subsequent EIR No. 551. Therefore, the project will not result in additional impacts to cultural resources.

XVII. RECREATION. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood, community and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Sources: #1, 15, 16, 17 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Sources: #1, 15, 16, 17 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Affect existing recreational opportunities? (Sources: #1, 15, 16, 17 & 18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion items a) through c): The proposed project is reflective of the BDP approved by Orange County and the California Coastal Commission and is within the parameters of residential development and habitat conservation and restoration evaluated in Subsequent EIR No. 551.

The project will be implemented after completion of the homes and completion of the recreational facilities for the BDP. The Brightwater Specific Plan is reflective of the BDP and will not result in increased density or intensity of land use beyond what was analyzed in Subsequent EIR No. 551. Annexation will take place in phases after homes are constructed. Therefore, implementation of the project will not result in any new impacts on recreational issues.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVIII. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Sources: #1, 15, 16, 18 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion under item c.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources: #1, 16, 18 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See discussion below

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Sources: #1, 15, 16, 18 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion items a) through c): The proposed project reflects the BDP approved by Orange County and the California Coastal Commission and is within the parameters of the project analyzed under Subsequent EIR No. 551. The Brightwater Specific Plan will not result in an increase in density or intensity of land use beyond what was analyzed in Subsequent EIR No. 551. Therefore, implementation of the project will not have an impact on agricultural resources.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Sources: # 12, 16, 17, 18 & 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Subsequent EIR No. 551, the conditions of Coastal Development Permit No. 5-05-020 and the conditions of approval, as specified by the County of Orange and the California Coastal Commission for the BDP Project (BDP) required mitigation measures and standard conditions of approval to assure that the maintenance and preservation of environmentally sensitive habitats and species is achieved for identified species or their habitats. The continued maintenance and preservation of the environmentally sensitive habitats will be the responsibility of the Brightwater Maintenance Corporation. The proposed Brightwater Specific Plan reflects the BDP as approved

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

by Orange County and the California Coastal Commission and will not create additional density or intensity of land use beyond what was analyzed in Subsequent EIR No. 551. Annexation of the BDP area into the City of Huntington Beach will take place in phases after homes are constructed and the project habitat conservation areas are completed. Implementation of the proposed annexation, and prezoning of the BDP and rezoning of 0.365 acres located within the City of Huntington Beach to the Brightwater Specific Plan will not result in any new impacts in these areas.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (Sources: # 13, 16, 17, 18, 19 & 21)

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Discussion: The proposed project involves annexation of approximately 105.3 acres into the City of Huntington Beach and prezoning of the BDP and rezoning of 0.365 acres located within the City of Huntington Beach with the Brightwater Specific Plan. The Brightwater Specific Plan is reflective of the BDP approved by Orange County and the California Coastal Commission and is within the parameters of residential and habitat creation evaluated under Subsequent EIR No. 551. As such, the proposed project will not result in an additional density or intensity of land use beyond what was analyzed in Subsequent EIR No. 551. Annexation will take place in phases after homes are constructed. Therefore, the project will not result in impacts that are individually limited, but cumulatively considerable.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: # 13, 16, 17, 18, 19 & 20)

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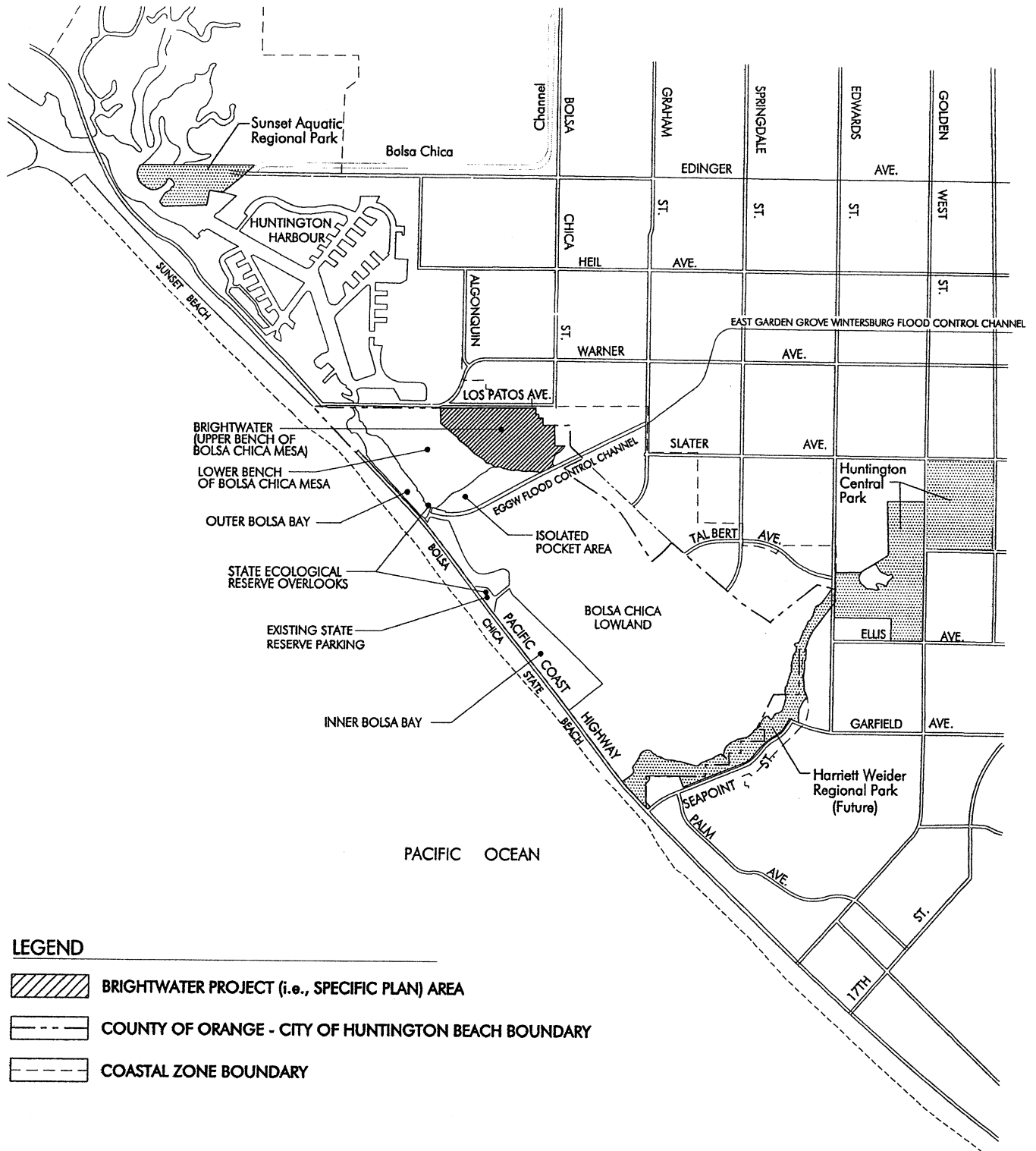
Discussion: The proposed project involves annexation of approximately 105.3 acres into the City of Huntington Beach and prezoning of the BDP and rezoning of 0.365 acres located within the City of Huntington Beach with the Brightwater Specific Plan. The proposed Specific Plan is reflective of the BDP approved by Orange County and the California Coastal Commission and is within the parameters of Subsequent EIR No. 551. The proposed annexation will be implemented after homes are constructed and the BDP completed. As such, the proposed project will not result in an additional density or intensity of land use beyond what was analyzed in Subsequent EIR No. 551. Implementation of the annexation of the project site into the City of Huntington Beach and prezoning of the BDP and rezoning of 0.365 acres located within the City of Huntington Beach with the Brightwater Specific Plan will not result a substantial increase in environmental effects that will cause adverse effects on human beings, either directly or indirectly. Therefore, the project will not result in any new impacts in this area.

XX. EARLIER ANALYSIS.


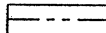
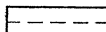
Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 @ (3) (D).

Earlier Documents Prepared and Utilized in this Analysis:

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Huntington Beach General Plan	City of Huntington Beach Planning Dept., Planning/Zoning Information Counter, 2000 Main St., 3 rd Floor, Huntington Beach
2	City of Huntington Beach Zoning and Subdivision Ordinance	“
3	Project Vicinity Map	See Attachment #1
4	Reduced Site Plan	See Attachment #2
5	Project Narrative	See Attachment #3
6	City of Huntington Beach Geotechnical Inputs Report	City of Huntington Beach Planning Dept.
7	FEMA Flood Insurance Rate Map (February 18, 2004)	“
8	CEQA Air Quality Handbook, South Coast Air Quality Management District (1993)	“
9	City of Huntington Beach CEQA Procedure Handbook	“
10	Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos (Oct. 17, 2002)	“
11	Hazardous Waste and Substances Sites List	“
12	State Seismic Hazard Zones Map	“
13	City of Huntington Beach Municipal Code	“
14	Comprehensive Habitat Management Plan (December 2005)	“
15	Draft Brightwater Specific Plan, July 2007	“
16	Subsequent EIR No. 551	“
17	CDP No. 5-05-020	“
18	9/26/05 Addendum to Subsequent EIR No. 551	“
19	Orange County General Plan	“
20	Vesting Tentative Tract Map No. 15460	“
21	Sandover Plan site plan and Tract Map No. 15734	“



LEGEND

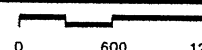
-  BRIGHTWATER PROJECT (i.e., SPECIFIC PLAN) AREA
-  COUNTY OF ORANGE - CITY OF HUNTINGTON BEACH BOUNDARY
-  COASTAL ZONE BOUNDARY

BRIGHTWATER SPECIFIC PLAN City of Huntington Beach • California



HEARTHSDIDE HOMES

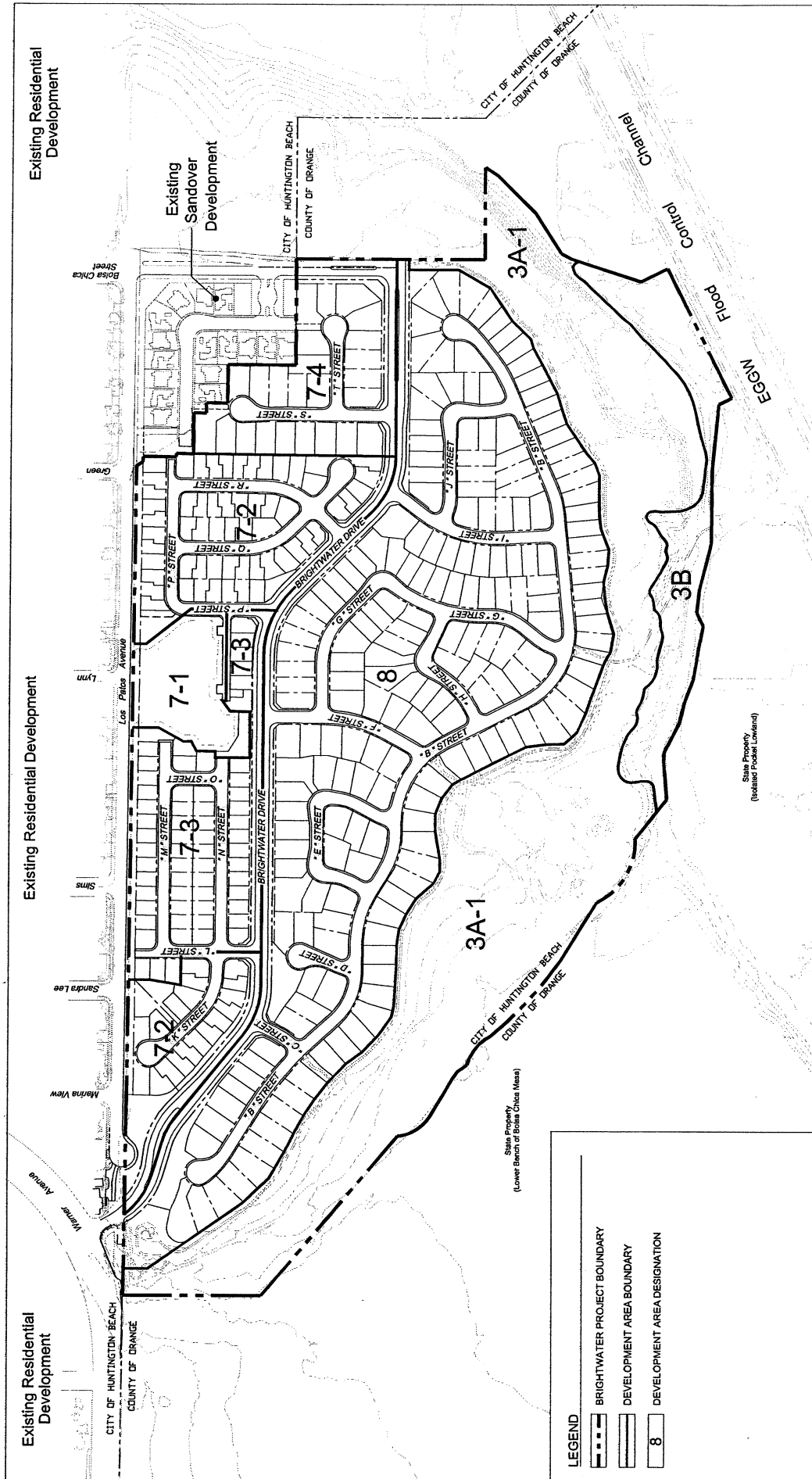
ATTACHMENT NO. 4
Vicinity Map



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2007-01-22

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ATTACHMENT NO. 4.33



ATTACHMENT NO. 2

Master Development Plan

FORM

2007-07-23

BRIGHTWATER SPECIFIC PLAN

City of Huntington Beach, California

HEARTSIDE HOMES

ATTACHMENT NO. 4.34

Brightwater Specific Plan Description

The Brightwater Specific Plan encompasses a total of approximately 105.6 acres of land located on the upper Bolsa Chica Mesa, which is currently located within an incorporated area of northwestern Orange County. The Specific Plan encompasses approximately 37.1 acres of dedicated open space. Habitat conservation includes three separate areas that include the following:

Planning Area 3A-1 consists of 29.2 acres designated for Native Grassland and Coastal Sage Scrub that will also include a public trail and storm water conveyance structures;

Planning Area 3B consists of a five-acre Eucalyptus Environmentally Sensitive Habitat (ESHA);

Planning Area 7-1 consists of 2.9 acres designated for the Southern Tarplant and Seasonal Pond Habitat Preservation Area.

A total of 355 homes are proposed to be constructed within the remaining 67.5-acre residential portion of the site. The homes will be constructed within the following four Residential Development Areas:

Development Area 7-2 *The Sands* is proposed to have 79 single-family homes on approximately 12.1 acres. Minimum lot size will be 2,800 square feet. The floor sizes in this development area range from 1,880 to 2,362 square feet. There are three architectural plans for the Sands.

Development Area 7-3 *The Trails* is proposed to have 62 single-family homes on approximately 7.5 acres. Minimum lot size will be 2,800 square feet. Home sizes will range from 1,559 to 1,877 square feet of floor area. There are three different architectural plans for The Trails.

Development Area 7-4 *The Cliffs* is proposed to have 24 single-family homes on a total of 6.4 acres. Lots will be a minimum of 6,000 square feet in size. Floor areas for the homes will range from 3,080 to 3,853 square feet in size. There are four different architectural plans for The Cliffs.

Development Area 8 *The Breakers* is proposed to have 190 single-family homes on a total land area of 42.5 acres. Minimum lot size in this area will be 4,700 square feet in size. Floor areas for each home will range from 3,080 to 3,853 square feet. There are four different architectural plans for The Breakers.

August 20, 2007

Brightwater Specific Plan Description

The Brightwater Specific Plan encompasses a total of approximately 105.6 acres of land located on the upper Bolsa Chica Mesa, which is currently located within an incorporated area of northwestern Orange County. The Specific Plan encompasses approximately 37.1 acres of dedicated open space. Habitat conservation includes three separate areas that include the following:

Planning Area 3A-1 consists of 29.2 acres designated for Native Grassland and Coastal Sage Scrub that will also include a public trail and storm water conveyance structures;

Planning Area 3B consists of a five-acre Eucalyptus Environmentally Sensitive Habitat (ESHA);

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Development Area 7-2 *The Sands* is proposed to have 79 single-family homes on approximately 12.1 acres. Minimum lot size will be 2,800 square feet. The floor sizes in this development area range from 1,880 to 2,362 square feet. There are three architectural plans for the Sands.

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Development Area 8 *The Breakers* is proposed to have 190 single-family homes on a total land area of 42.5 acres. Minimum lot size in this area will be 4,700 square feet in size. Floor areas for each home will range from 3,080 to 3,853 square feet. There are four different architectural plans for The Cliffs.

A-2. ZONING TEXT AMENDMENT NO. 07-003 (MEDICAL MARIJUANA DISPENSARIES - INFORMATION AND STATUS UPDATE) – Ricky Ramos

This is a large document. It has been separated from the agenda document and broken into three parts to facilitate downloading. Please use the links below to view this agenda item.

[A-2 Part 1](#)

[A-2 Part 2](#)

[A-2 Part 3](#)

**B-1. MITIGATED NEGATIVE DECLARATION NO. 06-008/CONDITIONAL USE
PERMIT NO. 06-035/VARIANCE NO. 07-001 (FIRST CHRISTAIN CHURCH
REMODEL/EXPANSION)**

This is a massive document. It has been separated from the agenda document and broken into nine parts to facilitate downloading. Please use the links below to view this agenda item.

[B-1 Part 1](#)

[B-1 Part 2](#)

[B-1 Part 3](#)

[B-1 Part 4](#)

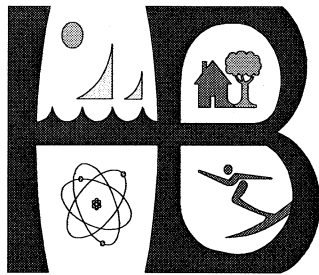
[B-1 Part 5](#)

[B-1 Part 6](#)

[B-1 Part 7](#)

[B-1 Part 8](#)

[B-1 Part 9](#)



MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, JULY 24, 2007

HUNTINGTON BEACH CIVIC CENTER

2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

CALL PLANNING COMMISSION MEETING TO ORDER

ROLL CALL: *P* *P* *P* *P* *P* *P*
Shier-Burnett, Speaker, Livengood, Scandura, Shaw, Dwyer, Farley

AGENDA APPROVAL

A MOTION WAS MADE BY SHAW, SECONDED BY SPEAKER, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF JULY 24, 2007, BY THE FOLLOWING VOTE:

AYES: Shier-Burnett, Speaker, Livengood, Scandura, Shaw, Dwyer, Farley
NOES: None
ABSENT: None
ABSTAIN: None

MOTION APPROVED

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. **BELLA TERRA II – Jane James**

Jane James, Senior Planner, introduced Lindsay Parton of DJM Capital Partners along with Alan ? and Marios Savopoulos of Perkowitz & Ruth Architects, who gave a Powerpoint presentation of the phase II plan for Bella Terra.

Commissioner Shier-Burnett mentioned she was present for the Study Session Council presentation in May and inquired if there were any changes. She asked them to consider green elements in their design. She also inquired about the status of anchor stores in regards to signature retailers. Mr. Parton replied no changes have been made to the design and they are in preliminary discussions with signature retailers for the anchor stores.

Commissioner Livengood commented on the need to improve the pedestrian flow from the parking garage and in front of Burlington Coat Factory, which does not include a sidewalk. He also stated his concern regarding traffic flow on Edinger Avenue and the challenge to direct traffic to Center Drive.

Commissioner Shaw would also like to see green elements incorporated into the project. He inquired about the possibility of shuttle services. Mr. Parton commented they are looking at different alternatives on transporting pedestrians and will address this in the next phase.

Commissioner Dwyer inquired on the ownership of Burlington Coat Factory. Mr. Parton stated DJM owns the building, however; Burlington Coat Factory has a long term lease. Dwyer also inquired as to the funding of the EIR study. James replied there will be a reimbursement agreement with DJM. Dwyer also inquired whether Economic Development has coordinated on this project. Dwyer inquired about the tax income between different uses. Mr. Parton responded they have done a study which concluded the mixed use had the greatest financial long term benefit to the City and other retail.

Commissioner Farley inquired whether the Phase I tenants will change. Mr. Parton anticipates the tenants will remain. Farley questioned Mr. Parton on the average time a visitor stays, Mr. Parton stated approximately 45 minutes. Farley inquired about adjacent property at the site of the Levitz furniture store. Mr. Parton conveyed interest in the property, however; Levitz is under a long term lease. Farley wondered about integrating rail systems. Mr. Parton is open to incorporating a future rail hub into the design.

Commissioner Speaker requested specific information on traffic flow, property tax, sales tax, and redevelopments funds. Mr. Parton offered to forward a study that would address those issues.

B. STUDY SESSION ITEMS: NONE

C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS):

Herb Fauland, Acting Planning Manager, reviewed the agenda items for the 7:00 p.m. portion of the meeting. He advised of one late communication received from the applicant regarding public hearing Item B-1.

D. PLANNING COMMISSION COMMITTEE REPORTS

Commissioner Farley reported on the last Environmental Board meeting.

Commissioner Shier-Burnett reported on the Green Building Subcommittee and attended a US Green Building Council meeting

E. PUBLIC COMMENTS - NONE

F. PLANNING COMMISSION COMMENTS:

Commissioner Shier-Burnett requested email notification to the Planning Commissioners of all withdrawn agenda items.

Commissioner Livengood questioned staff regarding the timing for an agenda item for September 11, 2007.

Commissioner Farley questioned staff about delivery restrictions on 5th Street and cleaning of sidewalks in the downtown.

Chair Scandura stated the report from the Chief of Police regarding Item B-1 raises questions he will address with staff.

6:30 P.M. – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Shaw

ROLL CALL: *P* *P* *P* *P* *P* *P* *P*
Shier-Burnett, Speaker, Livengood, Scandura, Shaw, Dwyer, Farley

AGENDA APPROVAL

A MOTION WAS MADE BY SPEAKER, SECONDED BY SHAW, TO APPROVE THE PLANNING COMMISSION AGENDA OF FEBRUARY 27, 2007, BY THE FOLLOWING VOTE:

AYES: Shier-Burnett, Speaker, Livengood, Scandura, Horgan, Dwyer, Farley
NOES: None
ABSENT: None
ABSTAIN: None

MOTION APPROVED

PRESENTATION OF PLANNING COMMISSION RESOLUTION NO. 1617 IN APPRECIATION OF OUTGOING COMMISSIONER FLOSSIE HORGAN.

Chair Scandura and Council Member Cook presented the resolution and plaque to outgoing Commissioner Horgan. Commissioner Horgan thanked the Planning Commissioners for their hard work and stated that she enjoyed working with the fellow Commissioners and staff. Horgan stated there was always a spirit of goodwill between staff and Commissioners.

A. ORAL COMMUNICATIONS

Rob Wayman, representative for Compassionate Care Dispensary, spoke in opposition of Study Session Item A-3.

B. PUBLIC HEARING ITEMS:

B-1. CONDITIONAL USE PERMIT NO. 07-017 (SHARKEEZ DANCING – CONTINUED FROM JULY 10, 2007 WITH PUBLIC HEARING TO BE OPENED): **Applicant:** Michael C. Adams Associates. **Request:** To permit dancing in conjunction with previously approved entertainment within an existing 2,625 sq. ft. restaurant. The request includes a proposal to address the requirement for one additional parking space by limiting use of previously approved outdoor dining area within the public right-of-way to customer queuing when dancing occurs. **Location:** 211 Main Street, 92648 (Northwest side of Main Street, between Olive Ave and Walnut Ave). **Project Planner:** Ron Santos

STAFF RECOMMENDATION: Motion to: “Deny Conditional Use Permit No. 07-017 with suggested findings for denial.”

WITHDRAWN AT APPLICANT’S REQUEST; APPLICANT WISHES TO SPEAK

Mike Adams, applicant for Public Hearing Item B-1, stated the desire to pursue this matter at a future date.

B-2. CONDITIONAL USE PERMIT NO. 07-021 (RA SUSHI): **Applicant:** Valentina Allen, Kerr Project Services **Request:** To permit the establishment, maintenance and operation of a restaurant with on-site sale and consumption of alcoholic beverages. **Location:** 155 5th Street, Unit 183, 92648 (north side of Pacific Coast Highway, between 5th St. and 6th St. – The Strand) **Project Planner:** Rami Talleh

STAFF RECOMMENDATION: Motion to: "Continue Conditional Use Permit No. 07-021 to the August 14, 2007 Planning Commission meeting with the public hearing to be opened."

CONTINUED AT THE APPLICANT'S REQUEST TO AUGUST 14, 2007, 6-0-1 (SPEAKER ABSTAIN)

THE PUBLIC HEARING WAS OPENED.

WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.

A MOTION WAS MADE BY LIVENGOD, SECONDED BY SHAW, TO CONTINUE CONDITIONAL USE PERMIT NO. 07-021 AT THE APPLICANT'S REQUEST, TO THE AUGUST 14, 2007 PLANNING COMMISSION MEETING WITH THE PUBLIC HEARING OPEN, BY THE FOLLOWING VOTE:

AYES: Shier-Burnett, Livengood, Speaker, Scandura, Shaw, Dwyer, Farley
NOES: None
ABSENT: None
ABSTAIN: Speaker

MOTION APPROVED

C. CONSENT CALENDAR - NONE

D. NON-PUBLIC HEARING ITEMS - NONE

E. PLANNING ITEMS

E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING

Scott Hess, Acting Director of Planning - reported on the items from the previous City Council meeting.

E-2. CITY COUNCIL ITEMS FOR NEXT MEETING

Scott Hess, Acting Director of Planning – reported on the items scheduled for the next City Council meeting.

E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING

Herb Fauland, Acting Planning Manager – reported on the items scheduled for the next Planning Commission meeting.

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS – NONE

F-2. PLANNING COMMISSION COMMENTS

Commissioner Shier-Burnett stated it was a privilege to work with Flossie Horgan.

Commissioner Speaker – None

Vice Chairperson Livengood – None

Chairperson Scandura – None

Commissioner Shaw – None

Commissioner Dwyer requested a copy of the Coastal Commission's modifications to the timeshares Local Coastal Program Amendment (LCPA) approved by City Council on July 16, 2007.

Commissioner Farley - None

ADJOURNMENT:

Adjourned at 7:20 p.m. to the next regularly scheduled meeting of August 14, 2007.

APPROVED BY:

Scott Hess, Secretary

John Scandura, Chair

